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First Edition: August 2007

Supervised by:

Abdul Malik Mujahid

© Maktaba Dar-us-Salam, 2007

King Fahd National Library Cataloging-in-Publication Data

Hallaq , Muhammad Subhi

Fiqh According to Quran & Sunnah Vol.1./Muhammad
Subhi Hallaq - Riyadh 2007

640p; 14x21 cm

ISBN: 9960-9958-4-4

1- Al-Fiqh 2- Islamic doctrines

1- Title

250dc 1428/4373

L.D. No.1428/7373

ISBN: 9960-9958-4-4

FIQH

**According to the
Qur'ân & Sunnah**

A Translation of the Book

Al-Lubāb Fee Fiqhus-Sunnah Wal-Kitāb

Volume 1

Compiled by

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Contents

Introduction	23
The First Book	
The Book of Taharah (Purification)	
Taharah (Purification)	53
The First Chapter: Types of Water	59
Firstly: Mutlaq Water	59
Secondly: Used water	65
Thirdly: Water that is mixed with something pure	68
Fourthly: Water which is mixed with something impure	69
The Second Chapter An-Najāsāt	79
Part 1: The Rulings of An-Najāsāt	79
Part 2: Purification of An-Najāsāt	91
1. Purifying one's garment from the urine of a breastfeeding child: ..	91
2. Concerning ground that has been affected by impurity, there are two aspects regarding its purity:	91
3. Purifying one's garment when it is soiled by blood or menstrual blood:	93
4. Purifying the hem of a woman's dress:	94
5. Purifying one's garment from Al-Mazi by sprinkling:	94
6. Cleaning the bottom of one's shoes by scraping:	95
7. Purifying a vessel when a dog has licked it:	95
8. Purifying the skin of a dead animal by tanning:	96
Sections Relating : An-Najāsāt	96
Section 1: Human vomit is pure	96
Section 2: Human Sperm (Al-Mani) is Pure	98
Section 3: The Blood of a Muslim is Pure and There is no Evidence That it is Impure	99
Section Four: Shed Blood is Pure and There is no Evidence That it is Impure	102
Section 5: Evidence of the Purity of the Moisture in a Woman's Private Parts	103
Section 6: Alcohol is Forbidden, But There is no Reliable Evidence That Intoxicants Are Impure	104
Section 7: The Impurity of the Polytheist is Spiritual	105
Section 8: There is no Evidence That the Pig is Impure, Only That it is Forbidden to Eat it	105
Section 9: The Purity of the Urine and Dung of Animals Whose Flesh May be Eaten	106

Section 3: Vaginal Bleeding.....	227
1. Its definition:	227
2. Its rulings:.....	229

The Second Book

The Book of As-Salah (Prayer)

The First Chapter: The Times of Prayer	233
1. The times of the five prayers	233
2. The preferability of offering the <i>Zuhr</i> prayer at the start of the appointed time, when the sun is not at its hottest.....	235
3. The preferability of delaying the <i>Zuhr</i> prayer when the sun is very hot ..	235
4. The preferability of offering the 'Asr prayer at the start of the prescribed time.....	236
5. The sin of one who delays the 'Asr prayer until the sun becomes pale yellow.....	236
6. The sin of one who does not offer the 'Asr prayer within the prescribed time	237
7. Guarding strictly <i>Salah Al-Wusta</i> (the middle prayer)	237
8. The preferability of hastening to offer the <i>Maghrib</i> prayer and the hatefulness of delaying it	238
9. The preferability of delaying the 'Isha' prayer, so long as it does not cause hardship.....	238
10. The hatefulness of sleeping before it, and of speaking after it without cause	239
11. The preferability of hastening to offer the <i>Fajr</i> prayer:	240
12. Whoever caught part of the prayer within its time should complete it..	240
13. The ruling on one who abandons prayer:.....	241
14. Ordering a child to pray in order to train him, not as an obligation....	245
15. Whoever slept through a prayer or forgot it, he its time is when he recalls it.....	246
16. Should a person who deliberately failed to offer a prayer until the time for it had expired make up for it?.....	246
17. If a disbeliever embraces Islam, he does not atone for missed prayers.	247
18. The five obligatory prayers, their virtue and their status in Islam.....	248
19. The times when prayer should not be offered: The times when it is hated are five	249
20. The prohibition of offering supererogatory prayers once the obligatory prayer has started	253
21. The dislike of offering prayer in the Public Bath-house	253
22. The prohibition of offering prayers on or towards graves.....	253
23. The dislike of offering prayers in garments which distract the heart, or in places where there are engravings or pictures	254
24. The dislike of offering prayer in places where camels kneel	255
25. It is disliked for anyone besides the <i>Imâm</i> to continually offer his prayers in a particular place in the mosque.....	256

The Second Chapter: The Azân and the Iqamah	259
1. The ruling on the <i>Azân</i>	259
2. The virtue of the <i>Azân</i>	260
3. The description of the <i>Azân</i>	261
4. It is preferred for the <i>Mu'azzin</i> to repeat "Allâh Akbar (Allâh is Greatest)" twice in the same breath and for those who hear it to repeat it in the same manner	263
5. It is preferred to make <i>Tarjee'</i>	265
6. The lawfulness of making <i>Tathweeb</i> in the <i>Azân</i> for the <i>Fajr</i> prayer	266
7. The <i>Azân</i> of Bilal ؓ which was for the purpose of waking the sleepers for <i>Fajr</i> is a preferred act.....	266
8. It is preferred for the one who hears the <i>Azân</i> and the <i>Iqamah</i> to repeat what the <i>Mu'azzin</i> says	267
9. It is preferred to supplicate using the invocation that has been narrated after the call (to prayer)	268
10. It is preferred to supplicate much between the <i>Azân</i> and the <i>Iqamah</i> ...	268
11. The prohibition of taking payment for giving the <i>Azân</i>	269
12. It is preferred for the <i>Mu'azzin</i> to turn his head and his neck to the right when he says: " <i>Hayya 'alas-salah</i> " and to the left when he says: " <i>Hayaa 'alal-falah</i> ":	269
13. It is preferred to insert the fingers in the ears when pronouncing the <i>Azân</i> ..	270
14. It is preferred to pronounce the <i>Azân</i> and the <i>Iqamah</i> when making up missed prayers	270
15. The <i>Azân</i> is not called for the 'Eid prayer, nor is it said: " <i>As-Salatu jami'ah</i> "	271
16. How long should there be between the <i>Azân</i> and the <i>Iqamah</i> ?	271
17. The prohibition of leaving the mosque after the <i>Azân</i> has been called .	272
18. It is preferred for the <i>Mu'azzin</i> to pronounce the <i>Azân</i> in a standing position:	272
19. It is preferred for the <i>Mu'azzin</i> to call the <i>Azân</i> while he is facing the Qiblah.....	272
Sections Relating to the Chapter :Azân and the Iqamah	273
1. The <i>Tasbeeh</i> which the people have become accustomed to make in place of the first <i>Azân</i> at <i>Fajr</i> is an innovation.....	273
2. Wiping the eyes with the index fingers when the <i>Mu'azzin</i> testifies that none is worthy of worship except Allâh is an innovation.....	273
3. The weakness of the evidence against the lawfulness of the <i>Imâm</i> acting as <i>Mu'azzin</i>	274
4. The weakness of the evidence which claims that whoever calls the <i>Azân</i> must call the <i>Iqamah</i>	275
The Third Chapter: Conditions for the Acceptance of Prayer	277
Sections Relating to the Conditions: Acceptance of Prayer	285
Section 1: If anyone prays while he has some impurity on him of which he is unaware, his prayer is valid and he does not need to repeat it, even if he becomes aware of it during the prayer	285

The Third Book: The Book of Sawm (Fasting)

The First Chapter: Rulings of Fasting	521
The first section: The obligation to fast during the month of Ramadhan...	521
1. The linguistic meaning of <i>Sawm</i>	521
2. The juristic meaning of <i>Sawm</i>	522
3. There is nothing disliked in a person saying	523
4. The ruling of fasting	524
5. The virtue of fasting	524
Secondly: The clear Verses from the Book of Allâh	526
Thirdly: Fasting and the Qur'ân will intercede for the one who fasts and recites the Qur'ân	529
Fourthly: Ar-Rayyan Gate through which the people who used to observe fasts will enter Paradise	530
Fifthly: Fasting is a protection for the slave from the Fire	531
Sixthly: Fasting causes the slave to be admitted to Paradise	534
Seventhly: Those who used to fast will be rewarded without limit	535
Eighthly: Fasting helps to weaken the desire for sexual intercourse	538
6. The virtue of Ramadhan and the virtue of acting upon it	538
7. The gradual legislation which led to the establishment of fasting as an obligation	546
8. Conditions for the acceptance of fasting	547
9. It is obligatory to begin fasting the month of Ramadhan as soon as the new crescent is sighted by one honest (Muslim) person	548
10. Or it is obligatory to begin fasting the month of Ramadhan when thirty days of Sha'ban have passed	549
11. If the pregnant woman or the breastfeeding woman is only able to fast with difficulty, or she fears for her children, she may break her fast, but she must pay a ransom for it, but she does not have to make up for it	550
12. When the people of one town or city see the crescent, it becomes incumbent on the rest of the Muslim lands act in accordance with ...	552
13. It is incumbent upon the fasting person to make his intention before <i>Fajr</i> when he is performing an obligatory fast	554
The Second Section: Things Which Invalidate Fasting	555
The Third Section : Making Up For Fasting	563
1. It is an obligation upon a person who breaks his fast due to some lawful reason, such as traveling, illness and menses, to make up for it	563
2. Breaking the fast is a license for the traveler	564
3. If the traveling warrior fears that he will be afflicted by injury or weakness, which would affect his ability to fight, then breaking the fast is strongly recommended	564
4. It is not obligatory to make up the missed days of Ramadhan immediately; on the contrary, it is necessary to be relaxed about it...	565
5. The permissibility of observing voluntary fasts for those who have obligatory days to make up	567

6. If a person dies owing fasting days, his executor must make them up for him	568
7. An elderly person who is unable to fast or to make up for missed days should atone for each lost day by feeding a poor person	568
The Second Chapter: Voluntary Fasting	569
The First Section: The Days When Fasting is Preferred	569
1. Fasting six days of Shawwal	569
2. Fasting the ninth of Dhul Hijjah	570
3. Fasting the month of Muharram	570
4. Fasting the month of Sha'ban	571
5. Fasting Mondays and Thursdays	571
6. Fasting the days of <i>Al-Beedh</i>	571
7. The best kind of voluntary fasting is to fast on alternate days	572
8. The virtue of fasting the Day of 'Arafah and the Day of 'Ashoorah'	572
The Second Section: When it is Disliked to Fast	573
1. It is disliked to fast perpetually	573
2. It is disliked to fast on Fridays	574
3. It is disliked to fast on Saturday	575
The Third Section: When it is Unlawful to Fast	575
1. It is unlawful to fast on the two 'Eids	575
2. It is forbidden to fast the days of <i>At-Tashreeq</i>	576
3. It is permitted only for the person performing <i>Hajj At-Tamattu'</i> to fast during the days of <i>At-Tashreeq</i> , if he did not find a sacrificial animal	576
4. It is unlawful to fast one or two days prior to Ramadhan	577
5. The prohibition against fasting on the day of doubt is lifted if it is a person's custom to fast on that day	577
The Third Chapter: 'Itikaf	579
1. Evidence for the legality of <i>I'tikaf</i>	579
2. <i>I'tikaf</i> is valid at all times in the Three Mosques	580
3. <i>I'tikaf</i> in Ramadhan is strongly recommended, especially in the last ten days ..	581
4. It is recommended to strive hard to perform good deeds during the last ten days of Ramadhan	581
5. It is recommended to stand in prayer during the nights which are thought might be <i>Lailatul-Qadr</i>	581
6. Among the supplications of those who manage to catch <i>Lailatul-Qadr</i> ..	581
7. A person performing <i>I'tikaf</i> should not leave the mosque except to fulfill some valid need	582
The Fourth Book :The Book of Zakâh	
The First Chapter: Rulings of Zakâh	585
1. The status of <i>Zakâh</i> in the Religion	585
2. The virtue of <i>Zakâh</i> and the encouragement to pay it	586
3. Explanation of the meaning of <i>Zakâh</i> and charity	588
4. When was <i>Zakâh</i> legislated?	590

5. The incitement to pay it and the stern warning against refusing to do so ..	591
6. The ruling on one who refuses to pay it.....	595
7. The results of collecting <i>Zakāh</i> from the lands and the slaves.....	597
8. Upon whom is the payment of <i>Zakāh</i> incumbent?	600
The Second Chapter: <i>Zakāh</i> on Animals.....	601
The First Section: The <i>Nisāb</i> For Camels	601
The Second Section: The <i>Nisāb</i> on Cattle.....	604
The Third Section : The <i>Nisāb</i> on Sheep.....	605
The Fourth Section : On Combining, Splitting Up and <i>Al-Awqās</i>	606
1. Livestock belonging to different owners may not be taken together, nor may livestock belonging to one person be split up due to fear of (paying more) <i>Zakāh</i>	606
2. No <i>Zakāh</i> is payable when the amount of livestock is less than the <i>Nisāb</i> , nor is it payable on <i>Al-Awqās</i>	607
3. If two partners pay the combined <i>Zakāh</i> , it will be considered that both of them have paid their <i>Zakāh</i> equally.....	608
4. Types of livestock which it is forbidden for the assessor to take as <i>Zakāh</i> ..	608
The Third Chapter: The <i>Zakāh</i> on Gold and Silver	611
1. The <i>Nisāb</i> and the <i>Hawl</i> are two conditions for the obligation of <i>Zakāh</i> on gold and silver	611
2. The <i>Nisāb</i> on silver is two hundred <i>Dirhams</i> and the rate of <i>Zakāh</i> payable on it is 2.5%	612
3. <i>Zakāh</i> is not payable on stones	613
4. It is not obligatory to pay the <i>Zakāh</i> for which a <i>Hawl</i> is conditional, on a woman's gold and silver jewellery, which she uses.	613
5. <i>Zakāh</i> on trading merchandise.....	616
The Fourth Chapter: The <i>Zakāh</i> on Plants.....	617
1. The types of grains on which it is necessary to pay <i>Zakāh</i>	617
2. The <i>Nisāb</i> on plants is five <i>Awsuq</i>	618
3. 10% must be paid on crops which are watered by the rain, and 5% must be paid on crops which are irrigated with a <i>Saniyah</i>	619
The Fifth Chapter: Those Entitled to Receive <i>Zakāh</i>	623
Firstly: Those entitled to receive <i>Zakāh</i> are eight.....	
1. The poor person who has nothing.....	624
2. The <i>Miskeen</i> , who has something, but is not sufficient for his needs ..	624
3. Those who work in collecting and distributing it, but it is not permissible for them to be from the tribe of Banu Hashim.....	625
4. Attracting the hearts of those who are inclined towards Islam.....	626
5. Freeing the captives	628
Secondly: <i>Sadaqah</i> is forbidden to the tribe of Banu Hashim and their associates.	632
Thirdly: It is disliked for the one who gives charity to buy what he gave.	633
Fourthly: It is permissible for a woman to pay her <i>Zakāh</i> to her husband.	633
The Sixth Chapter: <i>Sadaqah Al-Fitr</i>.....	635
The Seventh Chapter: <i>Al-Khumus</i>.....	639

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

*In the Name of Allāh, the Most
Beneficent, the Most Merciful*

Introduction

Verily, all praise is due to Allāh; we praise and thank Him, we seek help from Him and we ask His Forgiveness. And we seek refuge with Allāh from the evil of ourselves and from the wickedness of our deeds. Whomsoever Allāh guides, there is none who can send him astray and whomsoever He sends astray, there is none who can guide him. And I bear witness that none has the right to be worshipped except Allāh, Alone, without partners and I bear witness that Muhammad is His slave and His Messenger.

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ ۖ وَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ﴾

“O you who believe! Fear Allāh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be

And he ﷺ said:

«يَا أَيُّهَا النَّاسُ، إِنِّي قَدْ تَرَكْتُ فِيكُمْ مَا إِنْ اِعْتَصَمْتُمْ بِهِ، فَلَنْ تَضِلُّوا
أَبَدًا: كِتَابَ اللَّهِ وَسُنَّةَ نَبِيِّهِ ﷺ»

“O, people! I have left among you that which, if you hold fast to it, you will never go astray: The Book of Allāh and the Sunnah of His Prophet.”^[1]

So whoever opposes the Book (of Allāh) and the Sunnah without evidence has strayed far (from the Straight Path) and sustained a clear loss, while he who holds onto them with both hands has grasped a firm handhold, and will attain all good in the life of this world and in the Hereafter.^[2]

And ‘Umar Ibn ‘Abdil ‘Azeez (may Allāh have mercy on him) said: “The Messenger of Allāh ﷺ and those placed in charge of the Muslims’ affairs after him have established *Sunan*,^[3] the acceptance of which is confirmation of belief in the Book of Allāh, implementation of obedience to Allāh and strengthening of the Religion of Allāh. It is not the right of anyone to alter them or substitute (something else in place of) them, nor is it permissible to pay heed to opinions which contradict them. Whoever acts upon them is rightly guided and whoever seeks help (from Allāh) through them will be helped, while whoever opposes them and

^[1] This *Hadīth* is authentic, due to it being reported from a number of sources. It was narrated by Al-Hākim (1/93), on the authority of Ibn ‘Abbās ؓ and it was declared authentic by Az-Zahabi. (See the routes for the *Hadīth* in ‘*Silsilah Al-Ahadeeth As-Saheehah*’ [4/355-361] by Shaikh Al-Albani [may Allāh have mercy on him]).

^[2] See: ‘*Ash-Shifa bi-Ta’reef Huqooq Al-Mustafa*’ by Al-Qadhi ‘Ayyadh (2/542-554 and 2/559-562) and ‘*Al-Faqeeh Wal-Mutafaqqih*’ by Al-Khateeb Al-Baghdadi (1/143-154).

^[3] *Sunan*: Religious traditions, practices, laws, etc.

follows a path other than that of the Believers, Allāh will keep him in the path he has chosen and burn him in Hell - what an evil destination.”^[1]

And Imām Ash-Shafi’i said: “There is a consensus among the people (i.e. the scholars) that when a *Sunnah* from the Messenger of Allāh ﷺ is made clear to anyone, he has no right to abandon it in favor of the saying of any person.”^[2]

And Ibn Khuzaimah said: “No saying of any other person may be equated with that of the Messenger of Allāh ﷺ, if the narration from him is confirmed as authentic.”^[3]

Based upon the encouragement to acquire knowledge which is proven, to struggle in pursuit of it, to teach it to those who seek it and require it, to act upon its obligations with truth and sincerity, those who desire Allāh’s Reward and those who fear His Punishment are driven to busy themselves with *Fiqh* so that their time is occupied in pursuit of it and they journey in search of it, until their feet are torn.

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May Allāh acknowledge and bless their efforts, liberally reward them and admit them to the highest levels of the abode of His Generosity, and may He grant us a share of that and of all the blessings, and may He forgive us, our forefathers, our *Shaikhs*, all those (Muslims) who do good to us, and all the Muslim men and women. Verily, He hears all supplications and He is the Most Generous Giver.

^[1] See: ‘*Ash-Shifa bi-Ta’reef Huqooq Al-Mustafa*’ by Al-Qadhi ‘Ayyadh (2/555).

^[2] See: ‘*I’lam Al-Muwaqqi’een*’ by Ibn Al-Qayyim (2/282).

^[3] See the previous reference.

Here, I - one who stands in need of Allāh, Most High's Mercy - have made my presentation - in spite of my weakness, my deficiency and the limited time available to me - not for the sake of acquiring any testimony or attaining some title, but instead:

- ◆ Being desirous and covetous of the Reward of Allāh, which He has prepared for the one who teaches the people goodness.
- ◆ Being fearful of His painful Punishment and His severe Chastisement, which are meted out to those who conceal His Knowledge and keep it secret.
- ◆ Desiring to serve this Religion with which Allāh has blessed us.
- ◆ Wishing to take part in the call to guidance and virtue, in order that the word of truth may be raised up.
- ◆ In order to combat ignorance, heresy and falsehood and to suppress the word of misguidance.
- ◆ So that the door to knowledge from Allāh and His Messenger ﷺ may be opened.
- ◆ Being desirous that all Muslims should adhere to the Book of Allāh and the *Sunnah*.
- ◆ To overcome differing and the innovation of blind following of *Mazahib*.^[1]
- ◆ In order to facilitate the spreading of Islamic Jurisprudence to the Muslims, in clear terms and a simple manner, rather than making it complicated, using (difficult) technical terms, hypothetical conclusions for situations which do not occur, and to help them in understanding all branches of Islamic Jurisprudence that the Muslim requires, with Allāh's Help.

^[1] *Mazahib*: Schools of Islamic Jurisprudence, notably those of the four Imāms, Mālik, Abu Haneefah, Ash-Shafi'i and Ahmad.

For all of these reasons, I have undertaken the writing of this book of mine, which I have called '*Al-Lubab Fee Fiqh As-Sunnah Wal-Kitab*' (The Essence of Understanding the Sunnah and the Book [of Allāh]) and I have arranged it in the following manner:

- | | |
|--------------------------------------|-------------------------------|
| 1. The Book of Purification | 2. The Book of Prayer |
| 3. The Book of Fasting | 4. The Book of <i>Zakah</i> |
| 5. The Book of Hajj | 6. The Book of Marriage |
| 7. The Book of Sales and Other | 8. The Book of Faith Dealings |
| 9. The Book of Vows | 10. The Book of Foods |
| 11. The Book of Medicine | 12. The Book of Clothing |
| 13. The Book of Wills and Testaments | |
| 14. The Book of Inheritance Laws | 15. The Book of Punishments |
| 16. The Book of Requitat | 17. The Book of Blood Money |
| 18. The Book of Judgments | 19. The Book of <i>Jihad</i> |

So this book '*Al-Lubāb Fee Fiqh As-Sunnah Wal-Kitāb*' contains all of the books of Islamic *Fiqh* and its chapters, accompanied by evidence and presented in a clear and simple manner, in order that they may be understood by the young and the old, without blindly following any of the schools of Jurisprudence, but rather being subject to authentic proofs and following the most authoritative opinions, without fanatical adherence to any particular group. Rather, I agree with each group when the truth is with them and I contradict them when they veer from that which is correct. And I do not except any group or opinion from this and I hope to Allāh, the Most High, Who is Able to do all things, that I will live upon that and die upon it, and that I meet Allāh with it.

This is because truth is made clear through evidence, just as the months are made clear by the phases of the moon, and the proof for rulings is like the pillar supporting a tent, and the

The First Chapter: Types of water.

The Second Chapter: Najasat (Impurities).

- ◆ *The first section:* Rulings of *Najāsāt*.
- ◆ *The second section:* Purification of *Najāsāt*.

The Third Chapter: Leftover water and perspiration.

- ◆ *The first section:* Leftover water.
- ◆ *The second section:* Perspiration.

The Fourth Chapter: Vessels.

The Fifth Chapter: Answering the call of nature.

The Sixth Chapter: The *Sunan of Al-Fitrah* (the natural state).

The Seventh Chapter: *Wudhoo'* (Ablution).

- ◆ *The first section:* Description of *Wudhoo'*, the conditions for its acceptance and its obligations.
- ◆ *The second section:* Preferred or recommended acts of *Wudhoo'*.
- ◆ *The third section:* Things which invalidate *Wudhoo'*.
- ◆ *The fourth section:* Acts which necessitate *Wudhoo'* and those for which it is preferred.
- ◆ *The fifth section:* Wiping over leather socks.

The Eighth Chapter: *Ghusl* (Bathing).

- ◆ *The first section:* When is *Ghusl* required?
- ◆ *The second section:* The pillars of *Ghusl* and its *Sunan*.
- ◆ *The third section:* When is *Ghusl* prescribed?

The Ninth Chapter: *Tayammum* (Dry Ablution).

The Tenth Chapter: Menstrual bleeding, postpartum bleeding and non-menstrual vaginal bleeding.

- ◆ *The first section:* Menstrual bleeding.
- ◆ *The second section:* Postpartum bleeding.
- ◆ *The third section:* Non-menstrual vaginal bleeding.



***Taharah* (Purification)**

The linguistic meaning is cleanness and purity. It is said in this regard that a person has *Tatahhara* (purified himself) and so he is *Mutatahhir* (one who is purified) and *Muttahir* (one who has purified himself), so the letter (ta) has been assimilated into the letter (ṭa), due to the similarity of their enunciation. *At-Tahoor* is water.

Tha'lab said: "*At-Tahoor* is water that is pure in itself and which purifies other things." It is said: "So-and-so is *Tahir* of clothing," if it is free from dirt and filth. The scholars of *Tafseer* said that the *Taharah* in the Qur'ân is of thirteen types:

The first: The ending of menstrual bleeding, as in the Words of Allāh, Most High in *Surah Al-Baqarah* (2:222):

﴿وَلَا تَقْرُبُوهُمْ حَتَّىٰ يَطْهُرُوا﴾

"And go not unto them until they have purified (from menses and have taken a bath)".

The second: Bathing, as in the Words of Allāh, Most High in *Surah Al-Baqarah* (2:222):

﴿فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ﴾

"And when they have purified themselves"

and in Surah Al-Ma'idah (5:6):

﴿وَإِنْ كُنْتُمْ جُنُبًا فَأَطَهِّرُوا﴾

"If you are in a state of Janābah (i.e. had a sexual discharge), purify yourselves (wash the whole body)".

The third: Cleaning the private parts with water, as in the Words of Allāh, Most High in Surah Bara'ah (9:108):

﴿فِيهِ رِجَالٌ يُحِبُّونَ أَنْ يَتَطَهَّرُوا﴾

"In it are men who love to clean and purify themselves".

This was revealed regarding the people of Quba' Mosque, who used to use water to clean their private parts.

The fourth: Purifying oneself from all manner of excreta and impurities, as in the Words of Allāh, Most High in Surah Al-Anfal (8:11):

﴿وَيُنَزِّلُ عَلَيْكُمْ مِنَ السَّمَاءِ مَاءً لِيُطَهِّرَكُمْ بِهِ﴾

"And He caused rain to descend on you from the sky, to clean you thereby".

The fifth: Freedom from all manner of pollutants, as in the Words of Allāh, Most High in Surah Al-Baqarah (2:25):

﴿وَلَهُمْ فِيهَا أَزْوَاجٌ مُطَهَّرَةٌ﴾

"And they shall have therein pure wives (having no menses, stools, urine, etc.)"

and in Surah Āli 'Imrān (3:15):

﴿وَأَزْوَاجٌ مُطَهَّرَةٌ﴾

"And pure wives (i.e. they will have no menses, stools, urine, etc.)".

The sixth: For men to refrain from sexual relations with other men, as in the Words of Allāh, Most High in Surah An-Naml (27:56)

﴿أَخْرِجُوا آلَ لُوطٍ مِّنْ قَرْيَتِكُمْ إِنَّهُمْ أَنَاسٌ يَّنْطَهَرُونَ﴾

"Drive out the family of Lot from your city. Verily, these are men who want to be clean and pure."

The seventh: Purification from sins, as in the Words of Allāh, Most High in Surah Bara'ah (9:103):

﴿خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا﴾

"Take sadaqah (alms) from their wealth in order to purify and sanctify them with it"

and in Surah Al-Mujadilah (58:12):

﴿فَقَدِّمُوا بَيْنَ يَدَيَّ نَجْوَاكُمْ صَدَقَةٌ ذَٰلِكَ خَيْرٌ لَّكُمْ وَأَطْهَرُ﴾

"Spend something in charity before your private consultation. That will be better and purer for you"

The eighth: Purification from idols, as in the Words of Allāh, Most High in Surah Al-Baqarah (2:125):

﴿أَنْ طَهَّرَا بَيْتِيَ لِلطَّائِفِينَ﴾

"That they should purify My House (the Ka'bah at Makkah) for those who are circumambulating it."

dripping from the parts that he has already washed, and he takes more water for the other parts. So it is obvious to any sensible person that he is only washing the other parts with new water that is mixed with other water that was used to wash other parts. That is unavoidable.”^[1]

Thirdly:

Water that is mixed with something pure

Such as saffron, soap, dough or other pure things which are not usually mixed with water. This is a means of purification so long as it may still be called water. If it is no longer called water, then it is pure in and of itself but it cannot be used as a means to purify something else.

Umm 'Atiyyah ؓ said: “When Zainab the daughter of the Messenger of Allāh ﷺ died, the Messenger of Allāh ﷺ said to us:

«إِغْسِلْنَهَا وَتْرًا، ثَلَاثًا، أَوْ خَمْسًا، وَاجْعَلْنَ فِي الْخَامِسَةِ كَافُورًا،
أَوْ شَيْئًا مِنْ كَافُورٍ، فَإِذَا غَسَلْتَنَهَا فَأَعْلِمَنِي»

‘Wash her an odd number of times, three or five, and on the fifth time put camphor or a little camphor (in the water). When you have washed her, let me know.’”

So we let him know. And he gave us his *Izār*^[2] and said:

«أَشْعِرْنَهَا إِيَّاهُ»

“Wrap her in it”

- i.e., use it as the inner wrapper.^[3]

^[1] op. cit., 1/184

^[2] *Izār*: A garment worn over the lower part of the body, similar to a sarong.

^[3] Narrated by Al-Bukhari (1253) and Muslim (no. 939).

And Umm Hani' ؓ narrated that the Messenger of Allāh ﷺ performed *Ghusl* with Maimoonah from a single vessel, from a bowl in which there were traces of dough.

This *Hadīth* is *Hasan*.^[1]

In these two *Ahadīth* we see that water was mixed with camphor and with dough, but there was not so much of either substance that the water could no longer be called water. Hence it is permissible to use such water for purification.^[2]

Fourthly:

Water which is mixed with something impure

- (i) A small or large amount of water into which something impure has fallen, and its taste, color or smell has changed as a result. This is impure (*Najis*) and it is not permissible to use it for purification.

The evidence for scholarly consensus on this point is as follows:

Ibn Al-Munzir said: “(The scholars) are unanimously agreed that if something impure falls into a small or large amount of water, and the taste, color or smell of the water changes, it becomes impure so long as it is like that.”^[3]

^[1] Narrated by An-Nasa'i (1/131, no. 240) and Ibn Majah (1/134, no. 378). Its narrators are all trustworthy. The *Hadīth* scholar Al-Albani said in his verification of '*Mishkat Al-Masabeeh*' (1/151): “It was narrated by An-Nasa'i and Ibn Majah, via the route of Mujahid from her. Its narrators are all trustworthy, but Al-Baihaqi indicated that it is deficient, since it is disconnected between Mujahid and Umm Hani'. However An-Nasa'i narrated it via 'Ata', he said: Umm Hani' narrated to me...’ And this is connected, and its chain is *Hasan*.”

^[2] See: '*Bidayah Al-Mujtahid Wa Nihayat Al-Muqtasid*' (1/79-87)

^[3] '*Al-Ijma*' (p. 33, no. 1). It was also quoted from him by An-Nawawi in '*Al-Majmoo*' (1/110), Ibn Qudamah in '*Al-Mughni*' (1/53) and others.

there is no vestige of knowledge, so we will not trouble our selves with mentioning them.” (end of quote).

4. Urinating in standing water is disliked:

It is reported on the authority of Abu Hurairah رضي الله عنه that the Prophet ﷺ said:

«لَا يُولِّنْ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ الَّذِي لَا يَجْرِي، ثُمَّ يَغْتَسِلُ فِيهِ»

“None of you should urinate in standing water which does not flow, then wash in it.”

This is the wording of Al-Bukhari. At-Tirmizi's version states:

«ثُمَّ يَتَوَضَّأُ مِنْهُ»

“... then perform Wudhoo' in it.”

The others' wording is:

«ثُمَّ يَغْتَسِلُ مِنْهُ»

“... then perform Ghusl with it.”^[1]

In the *Hadith* there is a prohibition against urinating in standing water, and then washing with it, but this does not mean that by introducing urine into it, it becomes impure, so long as none of its attributes (taste, color and odor) are altered thereby. The saying that it makes the water impure requires some legal evidence, and we have no evidence to that effect. So the *Hadith* remains a prohibition for a person who urinates in still water from washing with it or performing ablution with it. So the *Hadith* may be utilized as proof of this, and nothing else, while a person other

^[1] Narrated by Ahmad (2/346), Al-Bukhari (no. 239), Muslim (no. 282), Abu Dawood (no. 70), At-Tirmizi (no. 68), An-Nasa'i (1/49) and Ibn Majah (no. 344).

than one who is urinating in it may wash and perform ablution with it.^[1]

5. The prohibition for one who has just awoken of dipping his hand in a vessel (of water) before washing it:

This is based upon the *Hadith* of Abu Hurairah رضي الله عنه, which states that the Prophet ﷺ said:

«إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلَا يَغْمِسْ يَدَهُ فِي الْإِنَاءِ، حَتَّى يَغْسِلَهَا ثَلَاثًا، فَإِنَّهُ لَا يَدْرِي أَيْنَ بَاتَتْ يَدُهُ»

“If any of you awakens from sleep, he should not dip his hand in a water vessel until he has washed it three times, because he does not know where his hand has passed the night.”

The wording is that of Muslim and it is an authentic *Hadith*.^[2]

In this *Hadith* there is a prohibition for one who awakens from sleep, against dipping his hand in a vessel of water, and there is no difference between sleeping at night and sleeping during the day, and the command is interpreted by the majority of scholars as being a recommendation. The thing which justifies the command not being interpreted as obligatory, is the fact that there is doubt in the matter. And if a waking person dips his hand in a vessel without washing it, and he does not know if there is

^[1] See: ‘*Ihkam Al-Ahkam*’ (1/21), ‘*Al-Majmoo*’ (1/116) and ‘*Tarh At-Tathreeb*’ (2/33).

^[2] Narrated by Al-Bukhari (no. 162), Muslim (88/278), Ahmad (2/465, 471 and 403) without mention of the washing three times. It was also narrated by Muslim (87/278) At-Tirmizi (1/36, no. 24) and he said: “This *Hadith* is *Hasan-Saheeh*.”, An-Nasa'i (1/6, no. 1 and 1/99, no. 161), Ibn Majah (1/138, no. 393) and Ahmad (2/241, 265, 284, 382 and 455), with mention of washing three times.

The Third Section: Obligatory Acts of the Prayer

1. The first *Tashahhud*:

This is based upon the *Hadith* of Ibn Mas'ood رضي الله عنه, who said: "Muhammad ﷺ said: 'When you sit after each two *Rak'ahs*, say:

«التَّحِيَّاتُ لِلَّهِ، وَالصَّلَوَاتُ وَالطَّيِّبَاتُ، السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ، السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللَّهِ الصَّالِحِينَ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ»

"*At-Tahiyyatu Lillahi wassalawatu wat-tayyibatu. As-Salamu 'alaika ayyuhan-Nabiyyu wa Rahmatullahi wa Barakatuhu. As-Salamu 'alaina wa ala' ibadillahis-saliheen. Ashhadu an la ilaha illallahu wa ashhadu anna Muhammadan 'Abduhu wa Rasuluhu*"

(All compliments, prayers and good things are due to Allāh. May the Peace of Allāh be upon you, oh, Prophet and may Allāh's Mercy and Blessings be upon you. Peace be upon us and upon the true pious slaves of Allāh. I bear witness that none has the right to be worshipped but Allāh and I also bear witness that Muhammad is His slave and His Messenger).

«ثُمَّ لِيَتَخَيَّرَ أَحَدُكُمْ مِنَ الدُّعَاءِ إِلَيْهِ، فَلْيَدْعُ بِهِ رَبَّهُ عَزَّ وَجَلَّ»

Then any of you should select the supplication that appeals to him and he should supplicate Allāh, the Almighty, the All-powerful." This is an authentic *Hadith*.^[1]

[1] Narrated by Ahmad (1/437) and An-Nasa'i (2/238) and authenticated by Shaikh Al-Albani - may Allāh have mercy on him - in 'Irwa' Al-Ghaleel' (no. 336).

And the Prophet ﷺ ordered the man who prayed badly to do it, saying:

«إِذَا جَلَسْتَ فِي وَسْطِ الصَّلَاةِ فَاطْمَئِنَّ وَافْتَرِشْ فَخْذَكَ الْيُسْرَى، ثُمَّ تَشَهَّدْ»

"When you sit in the middle of prayer, sit calmly on your left thigh and then perform the *Tashahhud*." This *Hadith* is Hasan.^[1]

2. When a worshipper places a *Sutrah*^[2] before him, it is forbidden to pass in front of him (i.e. between him and his *Sutrah*):

This is based upon the *Hadith* of Sa'd Ibn Abi Hathmah رضي الله عنه, who reported that the Prophet ﷺ said:

«إِذَا صَلَّى أَحَدُكُمْ إِلَى سُتْرَةٍ فَلْيَدْنُ مِنْهَا، لَا يَقْطَعِ الشَّيْطَانُ عَلَيْهِ صَلَاتَهُ»

"When one of you prays facing a *Sutrah*, he should keep close to it and not let the devil interrupt his prayer."

This is an authentic *Hadith*.^[3]

He should not move so close to the *Sutrah* that he makes contact with the wall, the column, the stick placed in the ground or the camel, and then prays towards it:

It is reported on the authority of Sahl Ibn Sa'd رضي الله عنه that he said: "Between the Messenger of Allāh ﷺ and the wall was the distance required for a sheep to pass." This is an authentic *Hadith*.^[4]

[1] Narrated by Abu Dawood (no. 860).

[2] *Sutrah*: A barrier in front of the worshipper, such as a stick, a pillar, a wall, a spear, a sitting camel, another worshipper, etc.

[3] Narrated by Abu Dawood (no. 695) and An-Nasa'i (2/62).

[4] Narrated by Al-Bukhari (no. 496), Muslim (no. 262/508) and Abu Dawood (no. 696).